

**State of Michigan Senate
Energy and Technology Committee
1:00 PM, May 29, 2012**

**Testimony
Senate Bill 763**

The proposed amendment expands Public Act 185 of 1957. PA 185 of 1957 was established to implement water supply systems, sewage disposal systems, refuse systems, lake improvements and erosion control. In the case of a County, the Board of Commissioners may establish a Board of Public Works as an agency of the County and a Department of Public Works that may acquire, improve, enlarge, extend, operate, and maintain systems as described.

Many counties in the State have effectively used PA 185 of 1957 to plan and implement needed public infrastructure. I can speak to some examples in Kent County. The Kent County Department of Public Works acting through the Kent County Board of Public Works has participated in several projects since the Act was passed. Kent County has implemented several water and sewer systems for Townships, e.g. Byron-Gaines Township System and the North Kent Sewer System. It has financed the City of Wyoming water truck line from Lake Michigan. In the area of solid waste management the Board of Public Works took over operation of Township "dumps" and opened engineered landfills.

The Board of Public Works in 1985 entered into agreements with six cities (Wyoming, Grand Rapids, East Grand Rapids, Grandville, Kentwood and Walker) to implement waste-to-energy facility. This facility owned by the County was built by a private company and is operated by the same private company under a long-term contract. Excess solid waste received at this facility and ash resulting from the combustion of solid waste is transported by a private company. The Kent County Energy from Waste Facility has a long-term contract with Consumers Energy for the produced electricity.

In 2009, the county entered into an agreement and partnership with Granger Electric, a Lansing firm, to design, build and operate a landfill gas to energy facility at our Kent County South Kent Landfill. Both, the Board of Public Works and Granger Electric made a financial investment and share revenues in this project. Again this project sells produced electricity to Consumers Energy.

The Michigan Legislature passed Public Act 295 of 2008, referred to as the "clean, renewable, and efficient energy act." This act has provision and definition of renewable energy, renewable energy resources and renewable energy systems. The intent of the legislation is to expand renewable energy in the State. A "renewable energy system" may include: biomass, solar, wind energy, kinetic energy of moving water, geothermal energy, municipal solid waste and landfill gas from municipal solid waste.

Amending Public Act 185 of 1957 provides for the inclusion of a "renewable energy system" (as defined in Public Act 295 of 2008) in the definition of the types of projects authorized by a Board of Public Works. Under the existing Public Act 185 of 1957 a Board of Public Works is not authorized to pursue implementation of a renewable energy system unless it is directly related to a project that is authorized as explained in examples above.

Many counties and municipalities within these counties have real property holdings for a variety of reasons. Authorizing a Board of Public Works, in addition to the areas already authorized, to establish renewable energy systems, may enhance opportunities for the advancement of such systems using property holdings or in partnership with private companies on property holdings where they wish to develop renewable energy systems.

At this time Kent County does not have a renewable energy system planned. However, the intent of this amendment is to lay the ground work in a forward thinking manner toward planning and implementing future renewable energy system opportunities.